

REMARKS

In the above referenced case, claim 157 is pending. Applicant will sequentially address the issues raised by the Examiner.

I. The 35 U.S.C. §103 Rejections

Claim 157 was rejected under 35 U.S.C. §103(a) as being unpatentable over Kurematsu et al., U.S. Patent No. 5,267,029 ("KUREMATSU") in view of Konno, U.S. Patent No. 4,497,015 ("KONNO").

The Examiner relied on KONNO for rejecting certain limitations in element [a] of 157 and relied on KUREMATSU for all other elements.

Amended independent claim 157 recites at least the following element:

[d] combining more than two separated electromagnetic energy beams into a single collinear beam of electromagnetic energy without previously subcombining any plurality of the separated electromagnetic energy beams and without changing the altered orientation of the electromagnetic wave field vector of the plurality of portions of the electromagnetic energy beams;....

As will be shown below, Applicant respectfully submits that KUREMATSU fails to disclose at least element [d] of claim 157.

KUREMATSU discloses a system where the red and green beams are combined first by a first combiner (15), and then the red and green combined beam is combined with the blue beam by a second combiner (5).

The R light P_R and R light S_R which have emerged from the first LCD 8 and the G light P_G and G light S_G which have emerged from the second LCD 6 are synthesized by

the third DM 15, and travel as a light component ($P_G + P_R$) corresponding to the light portion and a light component ($S_G + S_R$), not shown, corresponding to the dark portion ... toward the BS 5 located at the destination of emergence thereof. ... The light components ($P_G + P_R$) and ($S_G + S_R$) which have emerged from the third DM 15 and the B light P_B and B light S_B reflected by the total reflection mirror 14 enter the BS ... and becomes synthesized light ($S_B + P_G + P_R$). KUREMATSU, col., 7, lines 9-48.

Thus, KUREMATSU does not disclose or suggest combining more than two separated electromagnetic energy beams as recited by claim 157. Rather, KUREMATSU involves first creating a subcombination of two of the beams.

Consequently, Applicant respectfully submits that KUREMATSU cannot disclose or suggest element [d] of claim 157.

Based on the foregoing, claim 157 should be in condition for allowance.

II. The Examiner's Official Notice in the Previous Office Action

In response to the previous office action (and likewise with respect to the present response), Applicant did not challenge the Examiner's Official Notice because it was moot in view of the arguments made regarding the independent claim. Therefore, Applicant does not concede to have admitted to, and hereby disputes, the validity of the Official Notice.

III. Conclusion

In view of the foregoing, it is respectfully submitted that the application is now in condition for allowance. Should the Examiner believe that a telephone interview would help advance the prosecution of this case, the Examiner is requested to contact the undersigned attorney.

Respectfully submitted,

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